

consistency with other provisions in this section because the Secretary is authorized to adopt regulations under Title 10, Subtitle 1 of the State Government Article (Administrative Procedure Act - Regulations). See General Revisor's Note to article.

In subsection (d) of this section, the phrase "of the decision", as it relates to the subject of the judicial review, is added for clarity.

Also in subsection (d) of this section, the reference to "Title 10, Subtitle 2 of the State Government Article" is added for clarity.

Defined terms: "Central Repository" § 10-201

"Criminal history record information" § 10-201

"Criminal justice unit" § 10-201

"Person" § 1-101

"Secretary" § 1-101

10-228. PROHIBITED ACT; PENALTY.

(A) PROHIBITED ACT.

AN EMPLOYER OR PROSPECTIVE EMPLOYER MAY NOT REQUIRE A PERSON TO INSPECT OR CHALLENGE ANY CRIMINAL HISTORY RECORD INFORMATION RELATING TO THAT PERSON FOR THE PURPOSE OF OBTAINING A COPY OF THE PERSON'S RECORD TO QUALIFY FOR EMPLOYMENT.

(B) PENALTY.

A PERSON THAT VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH FOR EACH VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 754.

Defined terms: "Criminal history record information" § 10-201

"Person" § 1-101

10-229. RESERVED.

10-230. RESERVED.

PART IV. CRIMINAL HISTORY RECORDS CHECK REQUESTS — COUNTIES.

10-231. REQUESTS FOR CRIMINAL HISTORY RECORDS CHECK — ANNE ARUNDEL COUNTY.

(A) PROSPECTIVE EMPLOYEE.

IN ACCORDANCE WITH GUIDELINES THAT THE ANNE ARUNDEL COUNTY COUNCIL ADOPTS BY RESOLUTION, THE DIRECTOR OF ADMINISTRATION OF ANNE ARUNDEL COUNTY MAY REQUEST A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FROM THE CENTRAL REPOSITORY FOR A PROSPECTIVE EMPLOYEE OF ANNE ARUNDEL COUNTY.